

REMARKS

Claims 1-8 and 10-19 are pending in the present application. Claims 1, 5, 13 and 14 are independent claims. Claims 1, 3-5, 11 and 13-15 are amended. In view of the above amendments and the following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

I. **35 U.S.C. §112, FIRST PARAGRAPH REJECTION**

Claims 3, 11 and 15 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Namely, referring to claims 3, 11 and 15, the Examiner states that "...applicant's disclosure does not show despreding both the signal (code) **and** the selected code." Action, p. 2. The Examiner further states that "...in order to despread a received signal or code, the received signal or code would have to correlated **with** a PN code." Action, p. 4.

By the present Amendment, Applicants submit that claims 3, 11 and 15 have been amended to clarify the subject matter that is claimed. That is, claim 3 has been amended to recite "a despreader which despreads the code received from a base station correlating with the codes output from the signal selector and outputs a despreding result." Claims 11 and 15 have been amended to include similar features.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdrawal of the §112, first paragraph rejection to claims 3, 11 and 15.

II. 35 U.S.C. §112, SECOND PARAGRAPH REJECTION

Claims 1-19 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point and distinctly claim the subject matter regarded as the invention.

Namely, referring to independent claims 1, 5, 13 and 14, the Examiner alleges that the limitations “...of ‘a plurality of multiplexers which selectively **output ones from among the first codes** stored in the N-bit registers... and a selector which receives and **selectively outputs either the selected ones of the first codes or the second codes...**’ in Lines 12-17, of claim 1, Lines 11-16 of claim 5, Lines 14-18 of claim 13 and Lines 11-15 of claim 14” results in unclear claim language as to the output from the multiplexers. Action, p. 3. The Examiner further states that the binary “1” is not clear “...when ‘a selector receives and selectively outputs either the selected ones of the first codes or the second codes’ in lines 15-16. It is not clear if the ‘selected ones’ is referred to the selected binary value ‘1’ of the first codes or the selected values.” Action, p. 4.

By the present Amendment, Applicants submit that independent claims 1, 5, 13 and 14 have been amended to clarify the claim language. Namely, independent claim 1 has been amended to recite “a plurality of selectors which selectively output either the selected ones of the first codes or the second codes, in response to the mode selection signal.” Independent claims 5, 13 and 14 have been amended to include similar features.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdrawal of the §112, second paragraph rejection to claims 1-19.

CONCLUSION

Accordingly, in view of the above, reconsideration of the rejections and allowance of each of claims 1-8 and 10-19 in connection with the present application is earnestly solicited.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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